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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/614,355 07/12/00 O BANION

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EXAMINER

DEXTER, C

ART UNIT

PAPER NUMBER

3724

DATE MAILED:

7
07/03/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/614,355

Applicant(s)

Miller et al.

Examiner

Clark F. Dexter

Art Unit

3724



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 18, 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above, claim(s) 2-7 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 8-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other:

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DETAILED ACTION

Election/Restriction

1. Applicant's election without traverse of Group III (claims 1 and 8-26) in the response filed April 18, 2001 (paper no. 6) is acknowledged. Claims 2-7 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention.

Claim Rejections - 35 USC § 112

2. Claims 1 and 8-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 13, “associated with the base” is vague and indefinite as to the relationship between the first fixed fence and the base; similarly, in line 16, “associated with the base” is vague and indefinite as to the relationship between the second fixed fence and the base.

In claim 8, line 1, “a first gap-filling flap” is vague and indefinite as to what disclosed structure it refers.

In claim 9, line 1, “a second gap-filling flap” is vague and indefinite as to what disclosed structure it refers.

In claim 10, line 1, “a first anti-removal means” is vague and indefinite as to what disclosed structure it refers.

← ok

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In claim 11, line 1, ^{ok}“a second anti-removal means” is vague and indefinite as to what disclosed structure it refers. ← ok

In claim 12, ^xlines 1-2, “first means for indicating a relative position of the first movable fence in relation to the first fixed fence” is vague and indefinite as to what disclosed structure it refers.

In claim 13, ^xlines 1-2, “second means for indicating a relative position of the second movable fence in relation to the second fixed fence” is vague and indefinite as to what disclosed structure it refers.

In claim 14, line 1, [✓]structural cooperation is not positively provided for “a first member”, particularly with respect to the first movable fence and the first fixed fence.

In claim 15, line 1, [✓]structural cooperation is not positively provided for “a second member”, particularly with respect to the second movable fence and the second fixed fence.

In claim 16, ^xlines 3-4 are vague and indefinite as to what structure is being set forth.

In claim 17, ^xlines 3-4 are vague and indefinite as to what structure is being set forth.

In claim 18, ^xline 1, “a first cam rod” is vague and indefinite as to what disclosed structure it refers.

In claim 19, ^xline 1, “a second cam rod” is vague and indefinite as to what disclosed structure it refers.

In claim 20, ^xlines 1-2, structural cooperation is not positively set forth for “a first fixed clamping arrangement”; in line 3, “a single clamping member” lacks structural cooperation.

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In claim 21^X, lines 1-2, structural cooperation is not positively set forth for “a second fixed clamping arrangement”; in line 3, “a single clamping member” lacks structural cooperation.

In claim 22, line 1, structural cooperation is not positively set forth for “saw blade”, particularly as to what structure supports the saw blade.

In claim 23, line 1, “compound” renders the claim vague and indefinite as to whether the invention being claimed is the same as that of claim 22; in lines 1-2 and 3, each occurrence of “a second fixed fence portion” is vague and indefinite and it seems that “portion” should be deleted for clarity; in lines 3-4, “said planar workpiece supporting surface” is vague as to which one.

In claim 24, “compound” renders the claim vague and indefinite; in line 2, “portion” renders the claim vague and indefinite and it seems that it should be deleted for clarity.

In claim 25, “compound” renders the claim vague and indefinite; in lines 2-3, “said movable fence portion” lacks positive antecedent basis.

In claim 26, “compound” renders the claim vague and indefinite; in lines 2-3 and 4, “said movable fence portion” lacks positive antecedent basis.

Prior Art


3. Further consideration of the claimed invention with respect to the prior art will be given upon clarification of the claimed invention.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clark Dexter whose telephone number is (703) 308-1404.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Rinaldi Rada, can be reached at (703)308-2187.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)308-1148. The fax numbers for this group are: formal papers - (703)305-3579; informal/draft papers - (703)305-9835.



Clark F. Dexter
Primary Examiner
Art Unit 3724

cfd
July 2, 2001